

Sec. 24-a1. Subpoenas - contempt. The executive council, in any investigation held by it, may issue subpoenas for witnesses and for the production of records, books, papers, and other evidence. If a witness, duly subpoenaed, refuses to appear, or refuses to testify, or otherwise refuses to comply with said subpoena, such fact shall be certified by such council to the district court or judge of the county where the hearing is being held and said court or judge shall proceed with said refusal as though the same had occurred in a legal proceeding before said court or judge.

Sec. 24-a2. Witness fee. Said witnesses, if in the employ of the state, shall not be entitled to any witness fees but shall receive the mileage allowed witnesses in the district court. Other witnesses shall receive the fees and mileage allowed witnesses in district court. A sum sufficient to pay said fees and mileage is hereby appropriated out of any unappropriated funds in the state treasury.

Sec. 25. City or town officers. Any city or town officer, elective or appointive, may be removed from office, after hearing on written charges filed with the council of such city or town, for any cause which would be ground for an equitable action for removal in the district court, but such removal can only be made by a two-thirds (2-3) vote of the entire council.

Sec. 26. Method of removal - limitation. The council, including councils of cities acting under special charters, may, by ordinance, provide as to the manner of preferring and hearing such charges. No person shall be twice removed by the council from the same office for the same offense. Proceedings before the council shall not be a bar to proceedings in the district as in this chapter provided.

Approved April 26, 1924.

CHAPTER 24
VACANCIES IN OFFICE
S. F. 35

AN ACT to amend, revise, and codify sections six hundred sixty-eight (668) and six hundred seventy-one (671) of the compiled code of Iowa, relating to vacancies in office.

Be It Enacted by the General Assembly of the State of Iowa:

That sections six hundred sixty-eight (668) and six hundred seventy-one (671) of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Section 1. Vacancies - how filled. Vacancies shall be filled by the officer or board named, and in the manner, and under the conditions, following:

1. United States senator. In the office of United States senator, when the vacancy occurs when the senate of the United States is in session, or when such senate will convene prior to the next general election, by the governor.

2. State offices. In all state offices, judges of courts of record, officers, trustees, inspectors and members of all boards or commissions, and all persons filling any position of trust or profit in the state, by the governor, except when some other method is specially provided.

3. Supreme court appointees. In the offices of clerk and reporter of the supreme court, by the supreme court.

4. County offices. In county offices, including justices of the peace and constables, by the board of supervisors.

5. Board of supervisors. In the membership of the board of supervisors, by the clerk of the district court, auditor and recorder.

6. Clerk of the district court. In the office of the clerk of the district court, by the said court or by a judge thereof, by order entered of record in the court journal which order shall be effective until the vacancy shall be filled in the manner provided by law.

7. Township offices. In township offices, including trustees, by the trustees, but where the offices of the three (3) trustees are all vacant, the county auditor shall appoint.

Approved February 15, 1924.

CHAPTER 25
ADMINISTRATION OF OATHS
S. F. 39

AN ACT to amend, revise, and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths.

Be It Enacted by the General Assembly of the State of Iowa:

That section seven hundred four (704) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Section 1. General authority. The following officers are empowered to administer oaths and to take affirmations:

1. Judges of the supreme, district, superior, municipal, and police courts.
2. Official court reporters of district, superior, and municipal courts in taking depositions under appointment or by agreement of counsel.
3. Clerks and deputy clerks of said district, superior, police, and municipal courts.
4. Justices of the peace within the county of their residence.
5. Notaries public within the county of their appointment, and within any adjoining county in which they have filed with the clerk of the district court of said adjoining county a certified copy of their certificate of appointment.

Sec. 2. Limited authority. The following officers and persons are empowered to administer oaths and to take affirmations in any matter pertaining to the business of their respective office, position, or appointment:

1. Governor, secretary of state, secretary of agriculture, auditor of state, treasurer of state, attorney general.
2. Members of all boards, commissions, or bodies created by law.
3. All county officers other than those named in the preceding section.
4. Mayors and clerks of cities and towns, judges and clerks of election, township clerks, assessors, and surveyors.
5. All duly appointed referees or appraisers.

Sec. 3. Jurat by deputy. In preparing a jurat to an oath or affirmation administered by a deputy, it shall be sufficient for the deputy to affix his own name, together with the designation of his official position, and the seal of his principal, if any.

Approved February 27, 1924.